

By: Taylor of Collin

H.B. No. 3158

A BILL TO BE ENTITLED

1 AN ACT
2 relating to verification of precinct and ballot styles during the
3 public testing of direct recording electronic voting machine
4 systems.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 129.023(c), Election Code, is amended to
7 read as follows:

8 (c) The general custodian of election records shall adopt
9 procedures for testing that:

- 10 (1) direct the testing board to cast votes;
- 11 (2) verify that each contest position, as well as each
12 precinct and ballot style, on the ballot can be voted and is
13 accurately counted [~~for each precinct and ballot style~~];
- 14 (3) include overvotes and undervotes for each race, if
15 applicable to the system being tested;
- 16 (4) include straight-party votes and crossover votes;
- 17 (5) include write-in votes, when applicable to the
18 election;
- 19 (6) include provisional votes, if applicable to the
20 system being tested;
- 21 (7) calculate the expected results from the test
22 ballots;
- 23 (8) ensure that each voting machine has any public
24 counter reset to zero and presented to the testing board for

1 verification before testing;

2 (9) require that, for each feature of the system that
3 allows disabled voters to cast a ballot, at least one vote be cast
4 and verified by a two-person testing board team using that feature;
5 and

6 (10) require that, when all votes are cast, the
7 general custodian of election records and the testing board observe
8 the tabulation of all ballots and compare the actual results to the
9 expected results.

10 SECTION 2. This Act takes effect September 1, 2011.